

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Clifford Mahaley, employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), United States Department of Justice, having been duly sworn, do hereby depose and state as follows:

INTRODUCTION

1. Your affiant is an “investigative or law enforcement officer of the United States” within the meaning of Title 18, United States Code, Section 2510 (7). Your affiant is therefore, an officer of the United States who is empowered by law to conduct investigations and to make arrest for the offenses enumerated in Title 18, United States Code, Section 2516. Your affiant is currently assigned to ATF San Juan conducting investigations of federal firearms violations and other federal violations. Your affiant was also previously employed by the City of Charlotte, North Carolina as a Police Officer for several years.
2. Your affiant has conducted investigations into the unlawful possession of firearms. Through training, investigations, and experience, I have taken part in cases relating to the trafficking of firearms, the use and possession of firearms by persons prohibited by law, and the possession of illegal firearms. Your affiant is familiar and has participated in various methods of investigations, including, but not limited to: electronic surveillance, physical surveillance, interviewing and general questioning of witnesses, use of confidential informants, use of cooperating witnesses, and use of toll records and subscribers information.
3. Your affiant has conducted and participated in numerous investigations to include: crime scene investigations, collection of evidence, interviews, and the execution of search warrants.

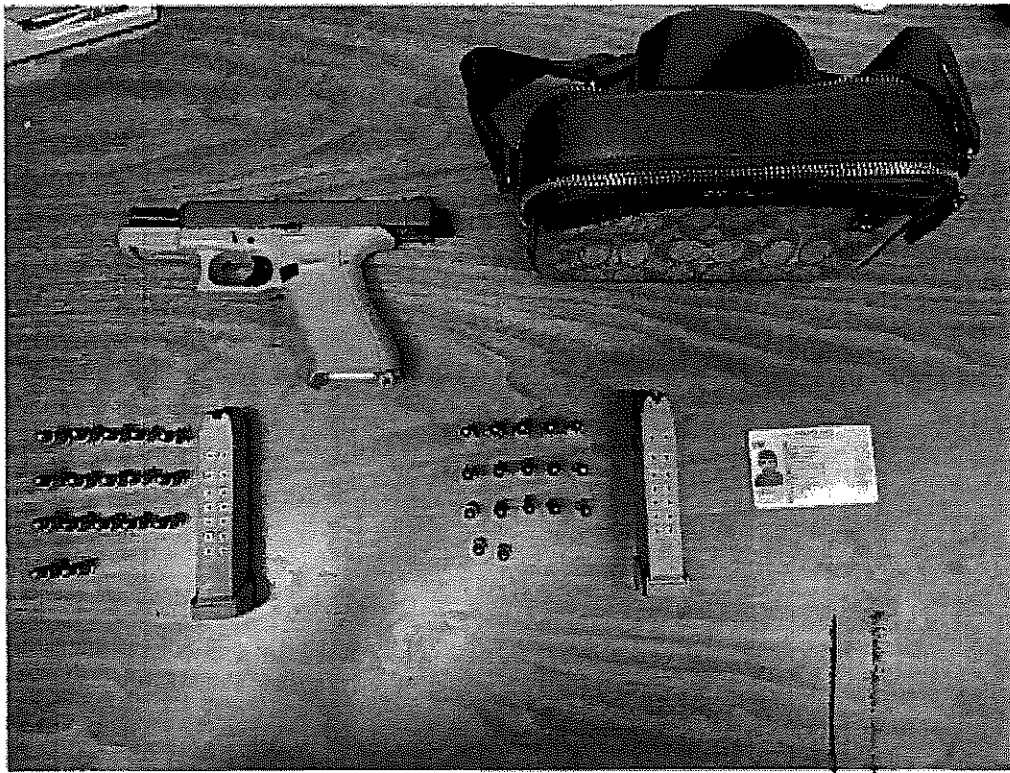
4. The details and information stated herein are based on my training, experience, and personal knowledge and compilation of facts and events investigated by me and other Law Enforcement Officers who investigated and confirmed their veracity or oversaw their development. I have drafted this affidavit for the limited purpose of establishing probable cause that Marcos **RUIZ-COLON** violated Title 18, United States Code, Section 922(o) (possession of a machinegun). Therefore, I have not included all of the facts of this investigation.

FACTS SUPPORTING PROBABLE CAUSE

5. On or about March 18, 2025, at approximately 9:00 p.m., ATF consulted a case with Agents from the Puerto Rico Police Bureau (PRPB) Auto Theft Unit in Bayamon, PR.
6. According to PRPB Agents, on March 18, 2025, at approximately 4:50 p.m., PRPB Agents were conducting a saturation patrol in the area of Road 861, km. 4.5, in Toa Alta, PR, when they observed the suspect vehicle; described as a white Chevrolet S10 pickup with dark window tints. PRPB Agents initiated a traffic stop on the suspect vehicle for a window tint violation.
7. Upon approaching the vehicle, PRPB Agents asked the driver and sole passenger of the vehicle, Marcos **RUIZ-COLON** to roll his windows down. PRPB Agent asked **RUIZ-COLON** for his driver's license. As **RUIZ-COLON** opened the satchel bag on his lap, PRPB Agents noticed the butt plate of a magazine that was inserted inside a pistol. PRPB Agents asked **RUIZ-COLON** if he had a firearms permit to which he (**RUIZ-COLON**) responded no. PRPB Agents subsequently placed **RUIZ-COLON** into custody.
8. Ultimately, PRPB Agents arrested **RUIZ-COLON** and seized the following items:
 - One (1) firearm described as a black, Glock pistol, model: 19X, 9x19 mm, bearing serial # CBFU328. The firearm had an external machinegun conversion device (also known as a

“selector switch” or “CHIP”), which allows the firearm to fire more than one round of ammunition, without manual reloading, by a single pull of the trigger. The device is readily noticeable to anyone who handles the firearm. Further, the firearm was loaded with (1) round of 9x 19 mm caliber ammunition in the chamber and (16) rounds of 9 x19 mm ammunition in the magazine;

- one (1) additional Glock magazine loaded with seventeen (17) rounds of 9x19 mm ammunition;
- two (2) Cellular phones; and
- the black and tan Coach satchel bag.

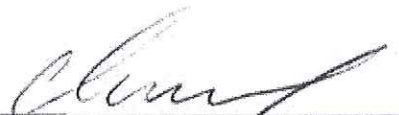


9. After seizing the aforementioned evidence, PRPB Agents transported **RUIZ-COLON** to the PRPB Auto Theft Precinct in Bayamon. PRPB Agent read **RUIZ-COLON** his Miranda Rights in the Spanish language. **RUIZ-COLON** understood his rights, waived his rights, and agreed to speak with PRPB Agents. **RUIZ-COLON** explained that he (**RUIZ-COLON**) received the aforementioned firearm as a collateral payment. **RUIZ-COLON** stated that he sold a motorcycle to an individual and did not receive the complete payment. The individual gave **RUIZ-COLON** the firearm as payment for the balance of the amount owed. Furthermore, **RUIZ-COLON** admitted to test firing the firearm in December of 2024 while riding a motorcycle. **RUIZ-COLON** stated that the firearm was fully automatic and emptied the magazine with one trigger pull.
10. On or about March 18, 2025, ATF Agents conducted the custodial interview of **RUIZ-COLON** at PRPB Auto Theft Unit in Bayamon. ATF Agents read **RUIZ-COLON** his Miranda Rights in the Spanish language. **RUIZ-COLON** understood his rights and agreed to speak with ATF Agents with his lawyer present during the interview.
11. **RUIZ-COLON** stated he was driving down Road 861 in Toa Alta, when he was stopped by PRPB. PRPB Agents asked him to roll his windows down. PRPB Agents then asked him (**RUIZ-COLON**) for his driver's license. **RUIZ-COLON** stated that as he was looking through his satchel bag for his license, PRPB noticed the magazine inside the satchel bag. **RUIZ-COLON** stated that PRPB Agents ordered him out of the truck and placed him under arrest.
12. ATF Agents conducted a preliminary functions test on the aforementioned firearm. The result of this test was consistent with the firearm being capable of firing more than one round of ammunition with the single pull of the trigger, making it a machinegun.

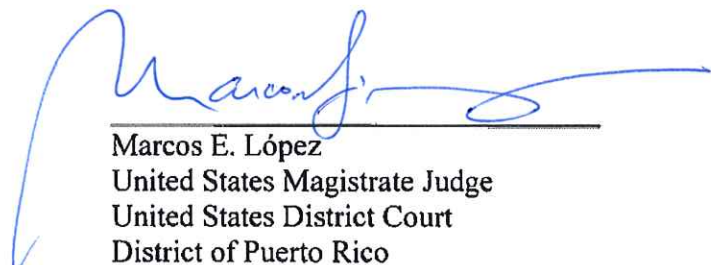
CONCLUSION

13. Based on the above facts, I respectfully submit there is probable cause to believe that Marcos **RUIZ-COLON** violated Title 18, United States Code, Section 922(o) (possession of a machinegun).

I hereby declare, under penalty of perjury, that the information contained in this Affidavit is known to be true and correct to best of my knowledge.


Clifford Mahaley
Special Agent
Bureau of Alcohol, Tobacco,
Firearms and Explosives

Sworn pursuant to FRCP 4.1 at 5:59PM by telephone, this 19th day of
March, 2025.


Marcos E. López
United States Magistrate Judge
United States District Court
District of Puerto Rico